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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ricardo De Dios-Ramos

Defendant(s)

Magistrate Case No.

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(i)

Bringing in and Harboring

Certain Aliens

FILED
08 MAY 14 AM 9:18
08 MJ 14 93

DEPUTY
ECU

The undersigned complainant, being duly sworn, states:

On or about **May 12, 2008**, within the Southern District of California, defendant **Ricardo De Dios-Ramos**, with the intent to violate the immigration laws of the United States, knowing of the fact brought to or attempted to bring to the United States, **DUARTE-Sosa, Santiago Valentin, PANTOJA-Diaz, Marcos Alejandro, SUAREZ-Medina, Jose Manuel**, at a place other than a designated port of entry without prior official authorization to come, enter, or reside in the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Christopher R. Grunst

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14th DAY OF MAY, 2008


UNITED STATES MAGISTRATE JUDGE

CATHY ANN BENCIVENGO

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**STATEMENT OF FACTS
PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **DUARTE-Sosa, Santiago Valentin, PANTOJA-Diaz, Marcos Alejandro and, SUAREZ-Medina, Jose Manuel** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On Monday, May 12, 2008, Senior Patrol Agent Canyon Sweet was performing line watch duties in his assigned area near Tecate, California. At approximately 9:00 p.m., Agent Sweet was notified via Service radio by KAK820 (Dispatch) of a seismic sensor activation. This seismic sensor is located approximately 1/4 of a mile east of the Tecate, California Port of Entry and one mile north of the United States / Mexico International Boundary.

Upon arrival at said seismic sensor, Agent Sweet discovered footprints for a large group of people walking south from the location of the seismic sensor. Agent Sweet requested assistance with searching for the subjects via his Service issued radio. Senior Patrol Agent Thomas Watson, and his Service Canine Senna, responded and arrived at Agent Sweet's location to assist in tracking the footprints. With the assistance of the tracking capabilities of the Service Canine Senna, Agents Sweet and Watson were able to track the footprints to a chain link fence at the intersection of Calle Alberto and Humphries Extension. Agents Sweet and Watson crossed the fence and observed the footprints continuing underneath a flatbed bearing CA license plates 4FF9362. The flatbed was attached to a white GMC Freightliner bearing CA license plates 9D52729. Agent Watson stated that he believed he detected the presence of people due to the strong odor of sweat emanating from the area near the flatbed. Agent Sweet circled to the other side of the flatbed and discovered that the footprints did not continue out from underneath the tractor trailer. Agent Sweet then climbed on top of the flatbed and discovered a hole measuring approximately six inches wide by twelve inches long in the floorboard of the flatbed. Agent Sweet shined his flashlight into said hole and discovered a person concealed in a compartment located inside of the flatbed. Agents Sweet and Watson were then able to discover the concealed entry method underneath the flatbed. The concealed entry consists of a solid piece of sheet metal that swings inwards on a set of hinges. The concealment compartment is a non factory compartment fabricated out of thick metal and welded to the side struts of the flatbed undercarriage. The only practical purpose of such a compartment would be to conceal contraband. The hinges were placed on the inside of the concealed compartment in order to further conceal the nature of the entry device.

After opening the concealed entry, Agents Sweet and Watson identified themselves as United States Border Patrol Agents and ordered the subjects to exit the concealed compartment in order to determine the citizenship and nationality of the subjects. When the 23 subjects were removed from the concealed compartment, Agents Sweet and Watson questioned each of the 23 subjects as to their citizenship. Each of the 23 subjects stated that they were citizens and nationals of Mexico without any immigration documents that would allow them to enter, be, or reside in the United States lawfully. Agents Sweet and Watson placed the 23 subjects under arrest, including one identified as Ricardo De DIOS-Rams (defendant). All 23 subjects were transported to the El Cajon, California Border Patrol Station for further processing.

DEFENDANT STATEMENT:

On May 13, 2008, at approximately 4:15 a.m., the defendant was read his Miranda rights by Senior Patrol Agent Romelio Rogel in the Spanish Language as per Service issued I-214 card. This event was witnessed by Immigration and Customs Enforcement Special Agent Lucia Cabral-DeArmas. The defendant stated he understood his rights and was willing to answer questions without the presence of his lawyer.

The defendant stated to Agent Rogel that on May 13, 2008, at approximately 7:00 p.m., he guided twenty-two Mexican nationals through the Tecate, California hills. De DIOS and the twenty-two subjects jumped the International Border fence and walked for approximately two hours until they arrived at the tractor trailer parked north of Humphries Road and east of Calle Alberto, Tecate, California. The group entered the rear compartment of the trailer and the curtain was shut closed. The group was inside the trailer for approximately ten minutes and shortly thereafter found by Border Patrol Agents.

The defendant said that he has been working for a smuggler identified as "El-Toby," as a foot guide smuggling illegal aliens from Mexico into the United States since January of 2008. The defendant admitted that as of January 2008, he has guided eight different groups of more than twenty illegal aliens each. The defendant stated that he has not always been successful in smuggling the groups of illegal aliens. He stated that he has been apprehended five times but was successful in smuggling the illegal aliens groups on at least three occasions. The defendant stated that the groups that he was successfully smuggling without being detected were then picked up by other smugglers and transported further into the interior of the United States. The defendant said he was paid \$800.00 for each group of illegal aliens he smuggled into the United States. The defendant stated that he has earned approximately \$2, 400.00 as a foot guide since January of 2008. The defendant said he only gets paid when he successful in smuggling the illegal aliens groups.

MATERIAL WITNESS STATEMENT: DUARTE-Sosa, Santiago Valentin

On May 13, 2008, at approximately 6:50 a.m., DUARTE-Sosa, Santiago Valentin was debriefed by Senior Patrol Agent Romelio Rogel, and ICE Special Agent Lucia Cabral-DeArmas regarding his smuggling arrangements. DUARTE admitted that he was a citizen and nationals of Mexico without immigration documents that allowed him to be or remain in the United States legally. DUARTE said that he made his own smuggling arrangements with an individual who he only knew as "Jose." Durante met Jose in downtown Tijuana, Baja California, Mexico. DUARTE agreed to pay \$2, 500.00 to be smuggled to Los Angeles, California.

DUARTE said that on May 12, 2008, at approximately 6:00 a.m., he was smuggled into the United States with twenty other illegal aliens. DUARTE said that there was only one foot-guide guiding the group. Although DUARTE did not identify the foot-guide in the photo lineup, DUARTE did give a description of the foot-guide's clothing. DUARTE described the foot-guide as being tall and wearing a black hooded jacket. After searching the aliens, Agent Rogel and ICE Special Agent Cabral-DeArmas noticed that the only person wearing clothing matching the description given by DUARTE was the defendant.

DUARTE said that the group walked for approximately one and a half hours to get to the tractor trailer where they were subsequently found by the Border Patrol. DUARTE said that when the group arrived to where the tractor trailer was parked, he noticed the rear curtain of the truck open. Everyone got inside of it and the curtain was closed. DUARTE could not identify the person that closed it.

MATERIAL WITNESS STATEMENT: SUAREZ-Medina, Jose Manuel

On May 13, 2008, at approximately 7:49 a.m., SUAREZ-Medina, Jose Manuel was debriefed by Senior Patrol Agent Romelio Rogel and ICE Special Agent Lucia Cabral-DeArmas, regarding his smuggling arrangements. SUAREZ admitted that he was a citizen and nationals of Mexico without immigration documents that allowed him to be or remain in the United States legally. SUAREZ said his brother made the smuggling arrangements for him. SUAREZ's brother was going to pay \$2,000.00 for SUAREZ to be smuggled to Los Angeles, California.

SUAREZ described the foot-guide as being tall with wavy hair, wearing black pants and white and dark green sweater. The foot-guide instructed SUAREZ and the group that once they crossed into the United States they were to walk fast and stay close behind him. The foot-guide informed the group that they were going to walk for a half hour to where the tractor trailer was parked. Suarez said that once they arrived to

where the trailer was parked the whole group went inside of it and the rear curtain of the tractor trailer was closed. SUAREZ said that they were inside the tractor trailer for approximately ten minutes before being found by Border Patrol Agents.

MATERIAL WITNESS STATEMENT: PANTOJA-Dias, Marcos Alejandro

On May 13, 2008, at approximately 5:55 a.m., PANTOJA-Dias, Marcos Alejandro was debriefed by Senior Patrol Agent Romelio Rogel and ICE Special Agent Lucia Cabral-DeArmas, regarding his smuggling arrangements. PANTOJA that he was a citizen and nationals of Mexico without immigration documents that allowed him to be or remain in the United States legally.

PANTOJA stated that he and his friends traveled from Nuna, Yucatan, Merida, Mexico to Tijuana, Baja California, Mexico. Once he and his friends arrived in downtown Tijuana an unidentified Mexican male approached him and asked him if he needed to across into the United States. PANTOJA said that he and his friends agreed to each pay \$2,000.00 dollars to be smuggled to Los Angeles, California. Their relatives were going to pay the smuggling fees upon their arrival to Los Angeles, California. PANTOJA was shown the photo-lineup and was unable to identify the foot-guide. PANTOJA provided a description of what the foot-guide was wearing. PANTOJA said that the foot-guide was wearing a black hooded sweater with white letters across the chest area. The defendant was the only individual wearing a black sweatshirt with white letters written across its chest.

Court's Orders/Motions

Government's Notes for Bail

MJ Info Sheet (lb)
11/5/04

MAGISTRATE JUDGE INFORMATION SHEET

CONTINUATION RE:

Ricardo De DIOS-Ramos

A# 88 92 3276

FINS# 1069984010

FBI#k771813TC4

STATE ID#WA24156167

IMMIGRATION HISTORY

01/12/2008 Present in the United States without Admission or Parole

01/30/2008 Present in the United States without Admission or Parole

03/07/2008 Present in the United States without Admission or Parole

04/03/2008 Present in the United States without Admission or Parole

CRIMINAL HISTORY

09/30/2007 Driving Under the Influence – Bellevue, Washington

Defendant Locator Form

(Staple behind the Magistrate Judge Information Sheet in front of Criminal History Info)

(Revised: 1/1/06)

U.S. Border Patrol, San Diego Sector, Prosecutions (619) 498-9839

Name of Defendant: Ricardo De Dios-Ramos DOB: 12/20/1976
A-File Number: 88 923 726 Charge: 8 USC 1324

MCC Information (619) 232-4311, Ext. 1430 (MCC Records)

Arrival Date: 5/13/2008 Time: 7:15 pm
Booking Number: _____
Transport Officer: Don Knull Star: 36 6379
Receiving Official at MCC: _____

Juvenile Hall Information (858) 694-4505 or Booking (858) 694-4766

Arrival Date at Juvenile Hall: _____ Time: _____
Juvenile Hall Booking Number: _____
Transport Officer: _____ Star Number: _____
Receiving Official at Juvenile Hall: _____

Hospitalized Defendants

Name of Medical Center/Detox Unit: _____
Phone Number of Medical Center/Detox Unit: _____
Name of Person receiving Defendant there: _____
Date of Hospitalization: _____ Time: _____
Reason for Hospitalization: _____
Room Number: _____
Phone Number at Nurses' Station: _____
Expected Date of Defendant's Release from Hospital: _____